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LAW OFFICES OF JONATHAN ALAN QUINE

Jonathan Alan Quine

Atty Doc No: 407T-895030US

Client Ref: 98-232-4



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**JAMES D. MARKS and MARIE ALIX
POUL**

Application No.: **09/250,056**

Filed: **02/12/1999**

For: **INTERNALIZING ERBB2
ANTIBODIES**

Examiner: Larry R. Helms, Ph.D.

Art Unit: 1642

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated March 15, 2001, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

The following documents are enclosed herewith:

- 1) A petition to extend the period of response for three months.

REMARKS

Status of the Claims.

Claims 1, 3-22, 34-44, 53, and 54 are pending with entry of this amendment, no claims being cancelled and no claims being added herein.

Claims 3-13, 26-22, 34-44, and 53-54 were rejected under 35 U.S.C. §112, first paragraph. Claims 1, 34-38, and 53-54 were rejected under 35 U.S.C. §103(a) as allegedly obvious in light of Maier *et al.* (1991) *Cancer Res.*, 51: 5361-5369 taken with Bird *et al.* (1988) *Science*, 242: 423-426. Applicants respectfully traverse.

Change in correspondence address.

Applicants note that a Revocation and Substitute Power of Attorney incorporating a change in correspondence was filed on May 21, 2001. In accordance with instructions provided in the

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